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SEP 25 2006

OFFICE OF PETITIONS

In re Application of

Lawrence Kates

:

Application No. 10/718,374

:

DECISION ON PETITION

Filed: November 21, 2003

:

Attorney Docket No. P1553

This is a decision on the renewed petition under 37 CFR 1.137(b), filed, August 1, 2006, to revive the above-identified application.

The petition is **GRANTED**.

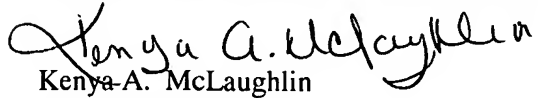
The above-cited application became abandoned for failure to file a proper reply in a timely manner to the final Office action mailed November 1, 2005, which set a shortened statutory period for reply of three (3) months from its mailing date. Extensions of the time set for reply were available pursuant to 37 CFR 1.136(a). A proper response was filed on May 1, 2006, with a request for an extension of time within the third month. An Advisory Action mailed May 12, 2006, advised petitioner advised that the response of May 1, 2006, would not be entered because it raised new issues. A Notice of Abandonment was mailed on May 17, 2006. A petition under 37 CFR 1.137(b) was filed on May 25, 2006, and dismissed on July 26, 2006.

The Request for Continued Examination filed August 1, 2006, is noted and made of record.

The fee for the instant petition was charged twice. The amount of \$750.00 will be refunded, in due course.

The application is being forwarded to Technology Center 2600, GAU 2612 for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3222.


Kenya A. McLaughlin
Petitions Attorney
Office of Petitions